

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

R.E., *individually and on behalf of P.E.*,

Plaintiff,

-against-

NEW YORK CITY DEPARTMENT OF
EDUCATION,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 4/5/2024

1:23-cv-10116 (MKV)

ORDER OF DISMISSAL

MARY KAY VYSKOCIL, United States District Judge:

The Court is in receipt of a letter, filed by Defendant, stating that the parties have reached a settlement in principle in this IDEA action for attorneys' fees [ECF No. 12]. Accordingly, IT IS HEREBY ORDERED that the above-captioned action is discontinued without costs to any party and without prejudice to restoring the action to this Court's calendar if the parties are unable to memorialize their settlement in writing and as long as the application to restore the action is made by May 5, 2024. If no such application is made by that date, today's dismissal of the action is with prejudice. *See Muze, Inc. v. Digital On Demand, Inc.*, 356 F.3d 492, 494 n.1 (2d Cir. 2004).

SO ORDERED.

Date: **April 5, 2024**
New York, NY



MARY KAY VYSKOCIL
United States District Judge